

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**JACOB MOSKOWITZ,**

**Plaintiff,**

**-against-**

**PRINCIPAL LIFE INSURANCE COMPANY,**

**Defendant.**

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#:  
DATE FILED: 3/29/2022

**21-cv-3030 (ALC)**

**OPINION AND ORDER**

**ANDREW L. CARTER, JR., United States District Judge:**

Plaintiff Jacob Moskowitz brings this suit against Principal Life Insurance Company alleging breach of contract and seeking to recover life insurance benefits. Defendant moved to dismiss on June 3, 2021.

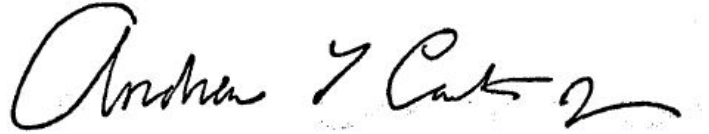
This case revolves around the validity of a life insurance policy (“Policy”) purchased by Odel Moskowitz. Mrs. Moskowitz purchased the Policy from Principal Life on December 26, 2013, naming Plaintiff as a beneficiary. In 2016, Mrs. Moskowitz neglected to pay her premium on time. She sent a check to Principal Life in February 2016. Upon receipt, Principal Life returned the check and notified Mrs. Moskowitz that her policy had been canceled. The notice cited her failure to pay the required premium the reason for cancellation. Mrs. Moskowitz ceased payments on the Policy. Odel Moskowitz died on July 11, 2019. Plaintiff sought to recover on the policy but was denied. Plaintiff filed this suit on April 8, 2021.

The Parties ask the Court to evaluate the efficacy of the notice sent to Mrs. Moskowitz regarding the Policy. However, neither Plaintiff nor Defendant filed the Policy and the Notice for the Court to consider. The Court is unable to decide the motion before it on the scant record before it.

Accordingly, Defendant's request is denied with leave to refile. Should Defendant seek leave to refile, they are encouraged to file the Policy and Notice along with their supporting papers. The Clerk of the Court is respectfully directed to terminate ECF No. 21.

**SO ORDERED.**

Dated: March 29, 2022  
New York, New York

A handwritten signature in black ink, reading "Andrew L. Carter, Jr.", written over a horizontal line.

**ANDREW L. CARTER, JR.**  
**United States District Judge**